

May 01, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DENISE W.,¹

Plaintiff,

vs.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:22-CV-00242-RHW

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g) AND CLOSING FILE**

ECF Nos. 13, 15

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 15, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney Chad Hatfield represents Plaintiff. Attorney Ellinor Coder represents Defendant.

After consideration, **IT IS HEREBY ORDERED** that:

1. The parties' Stipulated Motion for Remand, **ECF No. 15**, is **GRANTED**.
2. The above-captioned case be **REVERSED** and **REMANDED** to the

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 Commissioner of Social Security for further administrative proceeding pursuant to
2 sentence four of 42 U.S.C. § 405(g).

3 The parties have stipulated to the following instructions. On remand, the
4 Appeals Council will instruct the ALJ to:

- 5 • Re-evaluate the evidence; and
- 6 • Issue a new decision.

7 *See* ECF No. 15 at 2.

8 3. Judgment shall be entered for **PLAINTIFF**.

9 4. Plaintiff's Motion for Summary Judgment (**ECF No. 13**) is **STRICKEN**
10 **AS MOOT**.

11 5. Upon proper presentation, this Court consider Plaintiff's application for
12 fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

13 The District Court Executive is directed to enter this Order, **enter**
14 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

15 DATED May 1, 2023.

16 *s/Robert H. Whaley*
17 ROBERT H. WHALEY
18 Senior United States District Judge
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